IN THE UNITED STATES COURT OF FEDERAL CLAIMS BID PROTEST

FMS Investment Corp. et al.,)
Plaintiffs,) Case Nos. 18-204 <i>et al</i> .
v.) Judge Thomas C. Wheeler
THE UNITED STATES,)
Defendant,)
and)
PERFORMANT RECOVERY, INC. et al.,)
Defendant-Intervenors.)))

PLAINTIFF FMS INVESTMENT CORP.'S RESPONSE TO COURT'S MAY 7, 2018 ORDER

On May 7, 2018, the Government filed a motion to dismiss the above-captioned consolidated bid protests in light of its decision to cancel the solicitation at issue in this case and to terminate for convenience its awards to Windham Professionals, Inc. and Performant Recovery, Inc. *See* Dkt. No. 189. Also on May 7, 2018, the Court ordered all parties in this litigation to file a notice with the Court on or before Friday, May 11, 2018, indicating whether they plan to oppose the Government's motion. In response to the Court's order, Plaintiff FMS Investment Corp. states that it plans to oppose the Government's motion.

Respectfully submitted,

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Lead Attorney for Plaintiff FMS Investment Corp.

Dated: May 8, 2018

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CERTIFICATE OF SERVICE

I hereby certify that, on May 8, 2018, a true and correct copy of the foregoing was electronically filed with the Clerk of Court using the CM/ECF system, which will send notification to all counsel of record in this matter who are registered with the Court's CM/ECF system.

/s/ David R. Johnson
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